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Supreme Court of the United States

October Term, 1966

No. 558

REGINALD A. HAWKINS,
Petitioner,

—vs—

STATE OF NORTH CAROLINA,
Respondent.

BRIEF OF THE STATE OF NORTH CAROLINA OPPOSING PETITION FOR WRIT OF CERTIORARI

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STATE OF NORTH CAROLINA,

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BRIEF OF THE STATE OF NORTH CAROLINA OPPOSING PETITION FOR WRIT OF CERTIORARI

STATEMENT OF THE CASE

The Petitioner, Reginald A. Hawkins, was indicted by the Grand Jury of Mecklenburg County in Charlotte, North Carolina, at the September-October 1964 Term. The indictments in Case No. 42-237 and Case No. 42-238 charge Hawkins with the violation of N. C. G. S. 163-196, (3), (4) and N. C. G. S. 163-197, (1), (4), (7), and (13). (See Respondent's Appendix p. A1). Hawkins, through counsel, moved to quash the indictments in the State Court, at the November 1964 Term of the Superior Court. His motion was denied on November 10, 1964, and he did not appeal therefrom to the Supreme Court of North Carolina.

On November 12, 1964, Hawkins filed in the United States District Court for the Western District of North Carolina, a Removal Petition, asserting that his State case should be removed pursuant to 28 U. S. C. A., Section 1443, (1), (2). The State filed motion that the cases be remanded, and a plenary hearing was had on May 12, 1965, and a Memorandum De-

cision, along with an Order of Remand, was entered on May 15, 1965 by the District Court. (Respondent's Appendix p. A2). From that judgment, Hawkins appealed to the Fourth Circuit Court of Appeals.

Case No. 10,062, HAWKINS vs. NORTH CAROLINA, was heard on April 7, 1966, and subsequently supplemental briefs were filed and on August 16, 1966, the Court of Appeals for the Fourth Circuit handed down its decision affirming the District Court's Order of Remand. (See Petitioner's Appendix I, p.1(a). HAWKINS vs. NORTH CAROLINA, -- F. 2d. --, (1966).)

From the Court of Appeals for the Fourth Circuit's Judgment, Hawkins seeks further review in the Supreme Court of the United States by an application for the issuance of the Writ of Certiorari.

QUESTION INVOLVED

DID THE COURT OF APPEALS ERR IN AFFIRMING THE DISTRICT COURT'S ORDER OF REMAND?

FACTS

Reginald A. Hawkins, a Negro Dentist in Charlotte, North Carolina, was on the night of April 8, 1964 present in the gym of the Second Ward High School in the City of Charlotte, North Carolina, where potential voters were being registered by the duly authorized Registrar of Precinct No. 2. The Mecklenburg County Board of Elections had appointed a Registrar, Mrs. H. M. Houston, a Negro, to go to the all Negro Precinct No. 2 on April 8, 1964 and there to examine, and qualify, and give oaths for registering potential voters for the May 1964 primary elections. (See Petitioner's Court of Appeal Appendix, p. 21-(a)).

On this night, Hawkins came to the gym and proceeded to wave a letter before Mrs. Houston, the Registrar, which Hawkins said authorized *him* to administer the oaths and

etc. to the prospective voters, and he proceeded to administer oaths, and register voters. These facts are what prompted the numerous Negro citizens (listed on the bills of indictment), who witnessed Hawkins' actions on the night of April 8, 1964, to testify to same before the Grand Jury of Mecklenburg County, and which Grand Jury returned true bills of indictment charging the Petitioner Hawkins with criminal violations of North Carolina voting laws. (N. C. G. S. 163-196-(3), (4), 197-(1), (4), (7), (13). See Respondent's Appendix, p. A7, 8).

SUMMARY OF ARGUMENT

In this Brief in opposition to the granting of the Petition for Writ of Certiorari, the State of North Carolina summarizes its argument as follows:

That, the Fourth Circuit Court of Appeals was legally correct in affirming the District Court's Order of Remand in this case, and same should be affirmed by this Court.

ARGUMENT

In the instant case, the Petitioner seeking a review of the Fourth Circuit Court of Appeals' opinion, brings forward his Petition which is found in the Appendix to the Brief of the Petitioner-Appellant, and on pages 24-A and 25-A therein, in the Petition for Removal, which was filed in the Federal District Court, Hawkins contended that his *"acts"* were constitutionally protected. (See Appellant's Court of Appeals Appendix, pp. 24-A and 25-A, Petition for Removal.). In paragraphs 9, 10, and 11, and under the prayer contained in the Petition for Removal, Hawkins alleged and contended that the "acts" which he performed on the night in question were "acts" protected by the Constitution of the United States and by 42 U. S. C. A., Section 1981; 42 U. S. C. A., Section 1983; 42 U. S. C. A., Section 1985; 42 U. S. C. A., Section 1971; United States Constitution Amendments 1, 14, and 15.

As a result of the opinion filed by the Fourth Circuit Court

of Appeals, which appears in the Appellant-Petitioner's Appendix (See Appellant's Appendix I, p. 1-(a)), the Petitioner Hawkins now seeks as a result of the special concurring opinion, that Sections 1971-(b) of 42 U. S. C. A., and also Sections 2000-(a)-2 and 20000-A-(a) apply to his situation. In examining the judgment of the Court of Appeals, and the Petition for Removal filed in the District Court, it is plain to see that the Petitioner has *abandoned* all of his allegations under the Petition for Removal, which he *originally* asserted in the District Court, and brought on appeal to the Fourth Circuit, and has now, in this Court, endeavored to embark upon a *new course* under the dicta which Judge Sobeloff proffered in his special concurring opinion. Whatever the case may be, the State of North Carolina resists *any and all* of these contentions and allegations and specifically argues that the indictments which Charged Dr. Hawkins with violations of North Carolina Voting Laws are constitutional and valid and is a case which should be tried in the Criminal Courts of North Carolina, and does not in any way nor interpretation come under any Federal laws as cited by the Petitioner.

The factual situation in this case, in paragraph 3, (found on page 20-A of the Petition for Removal, in the Appellant's Appendix to the Fourth Circuit), is set out in complete agreement except for two words which were used by the Petitioner to clarify or define his *"acts"* by the board and general terms of "assisted" and "suggested".

The Respondent points out that the evidence the State will show at a trial of Hawkins in the State Court, on the present bills of indictment, will reflect a different interpretation of the words, "assisted", and "suggested", which the Petitioner uses in his Petition for Removal. In fact, the Negro witnesses, including the Registrar, Mrs. Houston, all of whom were present and witnessed the acts of Dr. Hawkins on the night of April 8, 1964, it is submitted, will give a directly opposite definition to the words of "assisted" and "suggested", which Petitioner uses in his Petition. The State must then, by this evidence, show beyond a shadow of doubt the guilt of Hawkins or he will go free.

The indictments in this case, which are reproduced in the Appendix filed by the Petitioner, fail to reflect the *backside* of the indictments, which shows the names of the negro witnesses who testified before the Mecklenburg County Grand Jury and which testimony will be used upon trial of Hawkins in the Superior Court, if the State of North Carolina is allowed to retry Hawkins as has been ordered by the District Court. The backside of the indictments reflect the witnesses and are found in the Respondent's Appendix, p. A7, 8.

At the Hearing on whether or not to remand in the District Court, Petitioner Hawkins failed to in any way present any evidence or testimony, witnesses, or any factual difference from what was argued by the State as to his "assistance" of the Negro Registrar, and whether or not he "assisted" or "helped" the Registrar or whether he actually took over her duties as the State contended and performed all of her duties for her on the particular night without this authority being ordered by the Mecklenburg County Board of Elections. It is the State's contention that Dr. Hawkins proceeded to the Second Ward gymnasium on the night of April 8, 1964 and did *usurp, take over, commandeer,* and completely run the registration, the giving of oaths, the administering of examinations of various prospective voters, and did violate North Carolina General Statutes which are specifically enumerated hereinafter. (See Respondent's Appendix, p. A1, 2).

The State of North Carolina, through its duly elected Solicitor of the Mecklenburg County Superior Court, in no way is attempting to intimidate, threaten or coerce Dr. Hawkins, or attempt to intimidate, threaten, or coerce *ANY* person in this case, who is seeking to help persons to vote or urging or aiding any person to vote or attempt to vote, by seeking a criminal indictment against him for his acts on the night of April 8, 1964.

Close examination of all of the facts in the case clearly reflect that in no way has Dr. Hawkins been abridged, denied, or punished, or attempted to be punished, as a result

of his Membership in the Voter Registration Group which was seeking many more names on the registration rolls in Mecklenburg County in April of 1964. In fact, Dr. Hawkins was out of his precinct and over in another precinct and evidently had secured a large number of persons at the Second Ward gym who were being registered or who were being examined in order that they might vote. It is particularly pointed out by the Respondent, that Dr. Hawkins was not denied the right to talk or to urge prospective voters to register, but, whether or not he was requested to "assist" the Registrar is a fact which shall be *greatly* enlarged upon at a trial in the State Court. It is also a significant fact that Dr. Hawkins was allowed to perform his urging of free assembly, and was allowed to urge his fellow negro citizens to register and participate in the upcoming primary election. In fact, it is unquestioned that Hawkins proceeded to take over the meeting in Ward 2 in the gym in Mecklenburg County on April 8, 1964, and run the election primary registration as he saw fit, and actually usurped and took over the Registrar's duties and obligations and performed her tasks for her *without* her assent or *without* any official authority from the Board of Elections.

Hawkins attempts herein to have the Federal Courts order, adjudge and decree that, under the broad interpretation of the Civil Rights Act of 1964, under *any* section there applicable, same would federally allow him to proceed to do these "acts". If these "acts" are allowed to be, utter chaos and confusion will of course befall all future elections as there are many people who have the same desire as Dr. Hawkins had on April 8, 1964, and they would seek to do the same, however, they have been curtailed in doing so for the reason that North Carolina laws provide that there is punishment for usurping the duties of an appointed registrar in an election.

Hawkins has failed to in any way show that he was acting under "color of authority" derived from the Mecklenburg County Board of Elections. In fact, his "color of authority" derived from his misrepresentations to the sincere Negro

prospective voters who were in the gym and who were attending the registration meeting in Ward 2 on April 8, 1964 by the fact that he waved about in the gym a letter which he alleged gave him authority to give oaths en masse to all of the persons present in the Gym. Hawkins, through his Petition, denies these facts, and alleges that he was "requested" to "assist" the Registrar and that he "suggested" that an en masse oath would be of great assistance in arriving at an expeditious registration of those persons who were in the gym. Whatever the facts may be, the matter should be aired in the State Courts and the Order of Remand should be upheld and affirmed.

It is respectfully submitted that in the case of NEW YORK vs. GALAMISON, 342 F. 2d 255, (1965); Cert. dnd. 380 U. S. 977, (1965), Judge Friendly, went into a great learned explantion of the history of 28 U.S.C. Section 1443, and subsections 1 and 2 therein. In this case, Judge Friendly affirmed the remand of Civil Rights cases back to the State Courts in New York for trial. In that case, which happened in New York, Civil Rights demonstrators, who had attempted various demonstrations throughout the City of New York, including the attempted blocking of highways to the New York State Fair, were being tried in the State Courts, and the same argument which is proffered in the original Petition for Removal filed in the instant case in behalf of Hawkins, was proffered by the appellant in the GALAMISON case. The District Court ordered a remand and the Circuit Court affirmed. Upon the same contentions, Hawkins seeks redress in this Court. However, it is pointed out that Hawkins did not participate in a demonstration or in acts of blocking highways, nor was he denied access to a public place or to public accommodations or a right to demonstrate or to vote or to urge others to vote. Hawkins usurped and took over without proper authority the Registrars' duties and functions at an election precinct meeting in violation of State law. In a recent case from the Supreme Court of the United States, CITY OF GREENWOOD vs. PEACOCK, 384 U. S. 808, (1966), this Court held:

"The individual petitioners contend, quite apart from

28 U.S.C.A., Section 1443 (1), they are entitled to move their cases to the District Court under 28 U.S.C.A., Section 1443 (2), which authorizes the removal of a civil action or criminal prosecution for 'any act under color of authority derived from any law providing for equal rights . . . .' The core of their contention is that the various Federal Constitution and statutory provisions invoked in their removal petitions conferred 'color of authority' upon them to perform the acts for which they were being prosecuted by the State. We reject this argument, because we have concluded that the history of Section 1443, (2), demonstrates convincingly that this sub-section of the Removal Statute is available only to the Federal Officers and to persons assisting such officers in the performance of their official duties."

In view of the above determination of Section 1443, (1), it is submitted that Hawkins in no way alleges or contends that he is a Federal Officer which would qualify him for removal under this Section.

Also, in CITY OF GREENWOOD, vs. PEACOCK, *supra*, this Court said:

". . . , we hold that the second sub-section of Section 1443 confers a privilege of removal only upon Federal Officers orAgents and those authorized to act with or for them in affirmatively executing duties under Federal law providing for equal civil rights."

As a result of the opinion handed down by the Fourth Circuit Court of Appeals in the Present Petition before this Court, the Petitioner NOW seeks to come under *new* subsections of 42 U.S.C.A. of the Civil Rights Act of 1964. It is significant to point out by the Respondent that these matters have been *fully* answered by this Court in CITY OF GREENWOOD vs. PEACOCK, *supra*, wherein the Court in its opinion said:

"The fundamental claim in this case, then, is that a case

for removal is made under Section 1443 (1) upon a petition alleging: (1) that the defendants were arrested by State Officers and charged with various offenses under State Law because they were negroes or because they were engaged in helping negroes assert their rights under federal equal civil rights laws, and that they are completely innocent of the charges against them, or (2) that the defendants will be unable to obtain a fair trial in the state court. The basic difference between this case and RACHEL, is thus immediately apparent. In RACHEL the defendants relied on the specific provisions of a Federal pre-emptive civil rights law, Section 201 (a) and 201 (c), of the Civil Rights Act of 1964, 42 USC, Section 2000-A, (a), and 2000-A-2 (c), (1964 edition), as construed in HAMM vs. CITY OF ROCK-HILL, *supra,* that under the conditions alleged, gave them: (1) The Federal statutory right to remain on the property of a restaurant proprietor after being ordered to leave, despite a State law making it a criminal offense not to leave, and, (2) the further Federal statutory right that no State should even attempt to prosecute them for their conduct. The Civil Rights Act of 1964, as construed in HAMM, thus specifically and uniquely conferred upon the defendants an absolute right to 'violate' the explicit terms of the State criminal trespass law impunity under the conditions alleged in RACHEL removal petition, and any attempt by the State to make them answer in a court for this conceited violation would directly deny their federal right in 'the courts of the state'. The present case differs from RACHEL in two significant respects, first, no federal law confers an absolute right on private citizens, on civil rights advocates, or on Negroes, or on anybody else to obstruct a public street, to contribute to the delinquency of a minor, to drive an automible without a license, or to bite a policeman. (2). No federal law confers immunity from state prosecution on such charges."

Based upon the above law stated in the PEACOCK Case and in the GALAMISON Case, it is submitted by the Respon-

dent herein that no federal law under the Civil Rights Act or any other federal statute authorizes or empowers Dr. Hawkins to arbitraily and upon his volition to enter into a precinct meeting where prospective voters are being registered and given oaths and take over the meeting and administer the oaths to the prospective voters, in violation to State law.

CONCLUSION

In conclusion in this brief in opposition to the application for the issuance of Certiorari sought in behalf of the Petitioner, Reginald Hawkins, the Respondent submits that the Petitioner has failed to qualify himself under any Federal Law or Statute which would entitle him to the removal of this case, which is purely and simply a criminal cause against an alleged criminal defendant in the State Criminal Courts of North Carolina. It is therefore contended that this Court should affirm the Fourth Circuit Court of Appeals Order affirming the District Court's Order of Remand and allow the State of North Carolina, the Respondent herein, to proceed to trial in this cause.

Respectfully submitted,

THOMAS WADE BRUTON
Attorney General

Theodore C. Brown, Jr.
Staff Attorney

Respondent's Appendix

§ 163-196. Certain acts declared misdemeanors.—Any person who shall, in connection with any primary or election in this State, do any of the acts and things declared in this section to be unlawful, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court. It shall be unlawful:

(4) For any person to be guilty of any boisterous conduct so as to disturb any member of any election or any registrar or judge of elections in the performance of his duties as imposed by law;

(3) For any person to break up or by force or violence to stay or interfere with the holding of any primary or election, to interfere with the possession of any ballot box, election book, ticket or return sheet by those entitled to possession of the same under the law, or to interfere in any manner with the performance of any duty imposed by law upon any election officer or member of any board of elections;

§ 163-197. Certain acts declared felonies.—Any person who shall, in connection with any primary, general or special election held in this State, do any of the acts or things declared in this section to be unlawful, shall be guilty of a felony and upon conviction shall be imprisoned in the State's prison not less than four months or fined not less than one thousand dollars, or both, in the discretion of the court. It shall be unlawful:

(1) For any person fraudulently to cause his name to be placed upon the registration books of more than one election precinct or fraudulently to cause or procure his name or that of any other person to be placed upon the registration books in any precinct when such registration in that precinct does not qualify such person to vote legally therein, or to impersonate falsely

another registered voter for the purpose of voting in the stead of such other voter;

(4) For any person knowingly to swear falsely with respect to any matter pertaining to any primary or election;

(7) For any person with intent to commit a fraud to register or vote at more than one box or more than one time, or to induce another to do so, in the same primary or election, or to vote illegally at any primary or election;

(13) For any person falsely to make or present any certificate or other paper to qualify any person fraudulently as an elector, or to attempt thereby to secure to any person the privilege of voting.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CR. NO. 1943

STATE OF NORTH CAROLINA,
Respondent,
V.
REGINALD A. HAWKINS,
Defendant-Petitioner.

ORDER OF REMAND

For the reasons stated in a Memorandum of Decision filed simultaneously, IT IS ADJUDGED that these cases (designated in this court as Cr. No. 1943) were removed improvidently, and without jurisdiction, and it is accordingly ordered that the cases be, and they hereby are, remanded to the Superior Court of Mecklenburg County.

A certified copy of the Order of Remand shall be mailed

by the Clerk of this court to the Clerk of the Superior Court of Mecklenburg County.

This 15th day of May, 1965.

J. BRAXTON CRAVEN, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CR. NO. 1943

STATE OF NORTH CAROLINA,
Respondent,
V.
REGINALD A. HAWKINS,
Defendant-Petitioner.

MEMORANDUM OF DECISION

At its September-October term, 1964, the Grand Jury of Mecklenburg County returned indictments against Dr. Reginald A. Hawkins charging, without reference to any particular statute, violations of the election laws of North Carolina. On November 12, 1964, Dr. Hawkins removed these cases (in this court given the single number 1943) from the Superior Court of Mecklenburg County to this court pursuant to 28 U.S.C.A. Sections 1443 and 1446. The cases were set for trial before the undersigned district judge and a jury for April 26, 1965. On that day, and for the first time, the Solicitor for the State moved the court to remand the cases to the Superior Court of Mecklenburg County, questioning federal jurisdiction. The trial of the cases was thereupon postponed and the question of jurisdiction was set down for argument and heard on May 12, 1965.

The court has been helped tremendously by an excellent historical brief filed by counsel for Dr. Hawkins.

It is conceded that there is no federal jurisdiction to try these criminal cases arising upon indictments in the state court unless it be under 28 U.S.C.A. Section 1443, which reads as follows:

"Section 1443. *Civil rights cases*

"Any of the following civil actions or criminal prosecutions, commenced in a State court may be removed by the defendant to the district court of the United States for the district and division embracing the place wherein it is pending:

"(1) Against any person who is denied or cannot enforce in the courts of such State a right under any law providing for the equal civil rights of citizens of the United States, or of all persons within the jurisdiction thereof;

"(2) For any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law."

Since *Virginia v. Rives,* 100 U.S. 313 (1880), and *Kentucky v. Powers,* 201 U.S. 1 (1906), it has been well settled that removal under present Section 1443(1) was allowable only on a claim of *facial* unconstitutionality of a statute or constitutional provision. In *Rives* the Court said that the inability to enforce federal rights of which the removal statute speaks "is primarily, if not exclusively, a denial of such rights, or an inability to enforce them, resulting from the Constitution or laws of the State, rather than a denial first made manifest at the trial of the case." *Virginia v. Rives, supra,* 100 U.S. at 319.

It may well be argued that subsequent cases have put too narrow a construction upon *Rives.* The Fifth Circuit has noted, without approval or disapproval, that it may be argued today that the Supreme Court would recognize the right of

removal under Section 1443(1) even where no legislative denial of rights is shown. *Rachel v. State of Georgia*, 342 F. 2d 336 at 339 (5th cir. 1965). It would be presumptuous for a district court to anticipate such an interpretation of Section 1443(1) by the Supreme Court. The Court of Appeals for the Fifth Circuit in *Rachel* also declined the invitation to do so.

The pertinent election laws of North Carolina, allegedly violated by Dr. Hawkins, are facially constitutional. Interference with an election registrar or usurpation of the authority of such a registrar is clearly the kind of conduct which may be made punishable by a state. Section 1443(1) has not yet been expanded beyond the narrow confines of *Powers* and *Rives*, supra. There is no federal jurisdiction under 28 U.S.C.A. Section 1443(1).

Petitioner next contends that, in any event, jurisdiction is conferred upon this court under subsection (2) of 28 U.S.C.A. Section 1443 for the reason that Dr. Hawkins acted under "color of authority" to peacefully assist in registering qualified persons to vote, and to extend suffrage, under 42 U.S.C.A. Section 1971.

It is not altogether clear that Dr. Hawkins is one of those persons *who* may act "under color of authority." Quite possibly 28 U.S.C.A. Section 1443(2) may be availed of only by persons who are government officers or persons acting on their behalf or at their instance. See *Board of Education of City of New York v. Citywide Committee for Integration*, 342 F. 2d 284 at 285 (2d Cir. 1965).

But, assuming, without deciding, that Dr. Hawkins is one of those persons who may come within the statute, it is quite clear, in my opinion, that he did not act under "color of authority" within the meaning of subsection (2) of Section 1443. Nothing in any federal statute called to my attention, nor in the Federal Constitution, directs or authorizes Dr. Hawkins to act as a North Carolina election registrar, or to interfere with a duly-authorized registrar, or to usurp the

functions of such a registrar. However worthy his motives and activity may have been with respect to his legitimate desire to further suffrage, the laws and constitutional provisions relating to the right to vote are permissive rather than mandatory, and required of Dr. Hawkins no action. Dr. Hawkins fails to point to any federal law providing for equal rights or the right to vote which gives him authority or direction to act in the way and manner alleged by the State in its indictments.

"When the removal statute speaks of 'color of authority derived from' a law providing for equal rights, it refers to a situation where the lawmakers manifested an affirmative intention that a beneficiary of such a law should be able to do something and not merely to one where he may have a valid defense or be entitled to have civil or criminal liability imposed on those interfering with him." *People of the State of New York v. Galamison*, 342 F. 2d 255 at 271 (2d Cir. 1965).

The construction of Section 1443(2) urged by Dr. Hawkins would be a startling innovation having immeasurable impact on federal jurisdiction. That the statute is nearly one hundred years old and has never been so construed is some indication of the novelty of the theory now advanced.

Since there is no jurisdiction, Dr. Hawkins' motion to dismiss the indictments is not reached.

The motion to remand will be allowed and an appropriate order will be entered in accordance with this Memorandum of Decision.

This 15th day of May, 1965.

J. BRAXTON CRAVEN, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA

No. 42-238
STATE
VS.

REGINALD A. HAWKINS
VIOLATION OF ELECTION LAWS

_____Pros.

WITNESSES:

xRev. A. J. Ryans—731 E. Trade St.
xJ. B. Barrett—S.B.I.
xH. T. Hartley—S.B.I.
xMrs. W. Warren Gluck—1931 Chatham Ave.
Mrs. Orris Carpenter
William Little—929 E. 3rd St.
xMartha Gibson—805 E. Vance St.
xGeorge Little—925 E. Third St.
xMaggie Foster—327 S. Torrence St.

Those marked x sworn by the undersigned Foreman and examined before the Grand Jury and this Bill found V a True Bill.

John C. Knox
Foreman Grand Jury

No. 42-237
STATE
VS.
REGINALD A. HAWKINS
INDICTMENT
VIOLATION OF ELECTION LAWS

_____Pros.

WITNESSES:

xRev. A. J. Ryans—731 E. Trade St.
xJ. B. Barrett—S.B.I.
xH. T. Hartley—S.B.I.
xMrs. W. Warren Gluck—1931 Chatham Ave.

Mrs. Orris Carpenter
William Little—929 E. 3rd St.
xMartha Gibson—805 E. Vance St.
xGeorge Little—925 E. 3rd St.

xMaggie Foster—327 S. Torrence St.

Those marked x sworn by the undersigned Foreman and examined before the Grand Jury and this bill found V a True Bill.

John C. Knox
Foreman Grand Jury